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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,585	02/26/2002	Koji Kato	02129/LH	6014
1933	7590	09/14/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			YE, LIN	
220 Fifth Avenue			ART UNIT	
16TH Floor			PAPER NUMBER	
NEW YORK, NY 10001-7708			2622	

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,585

Applicant(s)

KATO ET AL.

Examiner

Lin Ye

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/23/06 has been entered.
2. Applicant's arguments with respect to new claims 1-5 filed on 8/23/2006 have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujimura et al. U.S. Patent 4,853,731 in view of Nozaki et al. U.S. Patent 4,992,809.

Referring to claim 1, the Tsujimura reference discloses in Figure 1, a camera comprising: a beam splitter (mirror 5) configured to divide an incident light from a subject through a photographing lens (e.g., the mirror 5 divide an incident light to viewfinder system 6 and distance measuring section 19 as shown in Figure 1, see Col. 4, lines 54-61); an eyepiece lens (6b) configured to enable a user to observe the incident light divided by the beam splitter with a viewfinder (6), as a subject image; a relay lens (6h) which is provided between the beam splitter (5) and the eyepiece lens (6b) ; and a shutter (eyepiece shutter 6i) which is provided in a vicinity of the relay lens , closer to the relay lens (6h) than to the eyepiece lens, and which cuts reverse-incident light from the eyepiece lens (See Col. 5, lines 4-9).

However, the Tsujimura reference does not explicitly states the relay lens (6i) reverses the subject image so that the user may view the subject image in a correct orientation.

The Nozaki reference discloses a view finder apparatus for using in camera comprising: erecting system is an image reversing relay lens system for view the subject image in a correct orientation (erect image) (see Col. 6, lines 49-55). The Nozaki reference is evidence that one of ordinary skill in the art at the time to see more advantages for using the relay lens reverses the subject image so that user be able to view the subject image in a correct orientation from the viewfinder system. For that reason, it would have been obvious to one of ordinary skill in the art to see the relay lens of Tsujimura is used for reversing the subject

image so that the user may view the subject image in a correct orientation so taught by Nozaki.

Referring to claim 2, the Tsujimura reference discloses wherein the relay lens (6h) and the shutter (6i) are arranged adjacent to and along a direction of an optical axis of the incident light as shown in Figure 1.

Referring to claim 3, the Tsujimura reference discloses in Figure 1, a camera comprising: a beam splitter (mirror 5) configured to divide an incident light from a subject through a photographing lens (e.g., the mirror 5 divide an incident light to viewfinder system 6 and distance measuring section 19 as shown in Figure 1, see Col. 4, lines 54-61); an eyepiece lens (6b) configured to enable a user to observe the incident light divided by the beam splitter with a viewfinder (6), as a subject image; a relay lens (6h) which is provided between the beam splitter (5) and the eyepiece lens (6b), said relay lens comprising a plurality of lenses as shown in Figure 1 ; and a shutter (eyepiece shutter 6i) which is provided in a vicinity of the relay lens , closer to the relay lens (6h) than to the eyepiece lens, and which cuts reverse-incident light from the eyepiece lens (See Col. 5, lines 4-9). However, the Tsujimura reference does not explicitly states the relay lens (6i) reverses the subject image so that the user may view the subject image in a correct orientation.

The Nozaki reference discloses a view finder apparatus for using in camera comprising: erecting system is an image reversing relay lens system for view the subject image in a correct orientation (erect image) (see Col. 6, lines 49-55). The Nozaki reference is evidence that one of ordinary skill in the art at the time to see more advantages for using the relay lens reverses the subject image so that user be able to view the subject image in a correct

orientation from the viewfinder system. For that reason, it would have been obvious to one of ordinary skill in the art to see the relay lens of Tsujimura is used for reversing the subject image so that the user may view the subject image in a correct orientation so taught by Nozaki.

Referring to claim 4, the Tsujimura reference discloses wherein the relay lens and the shutter are configured integrally (See Col. 5, lines 1-9).

Referring to claim 5, the Tsujimura reference discloses wherein at least one or more image formation surfaces are formed between the beam splitter and the eyepiece lens as shown in Figure 1.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Lin Ye', with a stylized, flowing script.

Lin Ye
Primary Examiner
Art Unit 2622

September 11, 2006